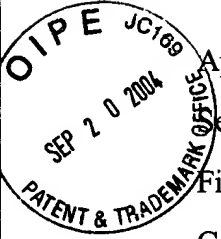


S/N 09/888,264

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

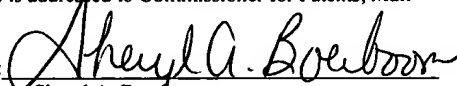


Applicant:	ADAMS ET AL.	Examiner:	J. ANGELL
Serial No.:	09/888,264	Group Art Unit:	1635
Filed:	JUNE 22, 2001	Docket No.:	11669.187USU1
Confirmation No.:	8727	Customer No.:	23552
Title:	CONTROL OF METABOLISM WITH HUMAN 2-OXOGLUTARATE CARRIER		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 408488483 US
Date of Deposit: September 20, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 
Name: Sheryl A. Boerboom

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449. Applicants also advise the Examiner of copending Application Serial No. 09/888,358 filed June 22, 2001.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

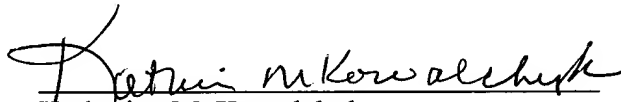
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: Sept. 20, 2004


Katherine M. Kowalchyk
Reg. No. 36,848



FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 11669.187USU1	Application Number: 09/888,264
	Applicant: ADAMS ET AL.	
	Filing Date: 06/22/2001	Group Art Unit: 1635

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Bing et al., "Increased Gene Expression of Brown Fat Uncoupling Protein (UCP)1 and Skeletal Muscle UCP2 and UCP3 in MAC16-induced Cancer Cachexia", <i>Cancer Research</i> , 60:2405-2410 (2000)
	GenBank Accession NM_016016 (2000)
	Huizing et al., "Human Mitochondrial Transmembrane Metabolite Carriers: Tissue Distribution and Its Implication for Mitochondrial Disorders", <i>Journal of Bioenergetics and Biomembranes</i> , 30(3):277-184
	Ledesma et al., "The mitochondrial uncoupling proteins", <i>Geneome Biology</i> , 3(12):3015.1-3015.9 (2002)
	Vidal-Puig et al., "Energy Metbolism in Uncoupling Protein 3 Gene Knockout Mice", <i>The Journal of Biological Chemistry</i> , 275(21):16258-16266 (2000)
	NCBI Blast Search of AAC28637 dated July 30, 2004 (Exhibit A)
	NCBI Conserved Domain Search AAC28637 dated July 29, 2004 (Exhibit B)
	GenBank Accession No. AAC28637 dated August 5, 1998

23552 PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	